

then we can take proper action upon it. I make that motion, that a committee of five, of which the President shall be chairman, be appointed to take this 39th section into consideration, and report to the convention upon the subject.

The PRESIDENT. If you refer any portion of the article to a committee, it carries the whole article. You may create a committee for the purpose of reporting independently upon the proposition, and postpone the consideration of this question from day to day until the committee shall report.

Mr. NEGLEY. Then I will move that a special committee of five be appointed.

The PRESIDENT. The gentleman may move the appointment of a special committee on incorporated institutions of the State, and then introduce an order instructing that committee to report particularly upon the Baltimore and Ohio Railroad, the Chesapeake and Ohio Canal, and the selling of these different interests of the State.

Mr. MITLER. Does their report necessarily become a part of the report on the legislative department? Must it not be acted upon separately?

The PRESIDENT. Or the gentleman may refer this whole article to that committee, with the understanding that it shall take this particular section under consideration.

Mr. THOMAS. Suppose a special committee is appointed and they do not report until we are through, and the section is excluded. Will it not then be within the exclusive control of the legislature, not being mentioned in the constitution?

The PRESIDENT. Of course the legislature would then have the power to control it.

Mr. NEGLEY. Of course the special committee would go to work and prepare a proper article to be inserted here, and report in two or three days. They could be instructed to do it.

The PRESIDENT. The gentleman proceeds upon the supposition that every member of this house attends punctually upon the sessions of the convention; and I presume that the members will hereafter attend, it being a violation of one of the standing rules of the house for a member to absent himself unless he is sick or indisposed.

Mr. NEGLEY. The gentlemen appointed upon the committee, knowing the feeling of the convention, will go to work at once, and I have no doubt they would be able to report in two or three days.

The PRESIDENT. If the convention does not desire to act further upon the legislative article until after a report from the special committee on this subject, it may be as well to refer the whole article to that committee.

Mr. KENNARD. Is it in order to fix a time within which the committee shall report?

The PRESIDENT. It is not usual until a

committee has been in session some time, to fix a day for their report.

Mr. CUSHING. Will this special committee be any more likely to reach a conclusion satisfactory to the house than the legislative committee who made this report?

The PRESIDENT. That is not in the power of the President to ascertain.

Mr. CUSHING. Then I hope we shall accept the report of the legislative committee, and strike out the amendments, and thus dispose of the question.

Mr. NEGLEY, having been requested to reduce his motion to writing, submitted in place thereof the following:

"Resolved, That a special committee of five, of whom the President shall be chairman, shall be appointed upon the incorporated institutions of this State."

Mr. ABBOTT. I hope the gentleman will change the number to nine.

Mr. STIRLING. That is a resolution, and must lie over.

The PRESIDENT. It must lie over one day under the rule.

Mr. RIDGELY. I would suggest that if the house would informally pass over this article and proceed with the remaining portion of the report on the legislative department, and dispose of it entirely, then we can refer the article to the committee as suggested.

Mr. CUSHING. Why refer the whole report of the legislative committee? Why not refer the 39th section?

The PRESIDENT. Part of the report cannot be referred without referring the entire report. The report consists of a variety of subjects, and you cannot refer one of them to a committee for alteration or amendment without referring the entire report.— You can reach the same object by creating a special committee for the purpose of taking any particular subject into consideration; and when their report is made, you can substitute that in the legislative article for this section.

Mr. JONES, of Somerset. I would like to have a test vote upon the subject whether or not there is a majority of this convention that is in favor of selling out the State's interest in the works of internal improvement and the banks. For myself I am against the whole plan of proceeding, and I should like to know how many there are who coincide with me in that view.

Mr. BERRY, of Prince George's. Would not the gentleman from Washington county (Mr. Negley) carry out his object by withdrawing his resolution and offering an order that the chair appoint a committee to consider the subject?

Mr. SANDS. I will ask for information whether, if this legislative report be referred to a special committee with instructions to report on a single article, that will prevent the possibility of their action upon others?